



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MASSACHUSETTS 02109-3912

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

MAR 27 2013

Mr. Robert Saunders
Project/Program Manager
Capital Region Education Council
108 Charter Oak Avenue
Hartford, Connecticut 06106

Re: PCB Cleanup and Disposal Approval under 40 CFR § 761.61(a) and § 761.79(h)
176 Cumberland Avenue
Wethersfield, Connecticut

Dear Mr. Saunders:

This is in response to the Capital Region Education Council (CREC) Notification¹ for approval to clean up and dispose of PCB-contaminated building materials in the building located at 176 Cumberland Avenue, Wethersfield, Connecticut (the Site). The Site contains caulk and other building materials that exceeds the allowable PCB levels under the federal PCB regulations at 40 CFR § 761.20(a), § 761.61, and § 761.62.

In its Notification, CREC has proposed the following PCB cleanup and disposal plan:

- Remove exterior window/door, interior expansion/wall/floor joint and exterior pink PCB caulk from the Main Building and Garage, and the exterior window/door caulk from the South Building for disposal as a *PCB bulk product waste*
- Remove *porous* and *non-porous surfaces* in contact with the PCB caulk (e.g., window/door assemblies, and 8 inches (1 course) exterior brick and 8 inches (½ course) concrete block) for disposal as *PCB bulk product waste*
- Decontaminate *non-porous surfaces* (i.e., steel lintels) that will remain to a less than or equal to (≤) 1 µg/100 cm² PCB cleanup standard

¹ The notifications were prepared by Fuss & O'Neill on behalf of CREC to satisfy the notification requirement under 40 CFR § 761.61(a)(3). Information was submitted dated November 13, 2012 (Self-Implementing On-Site Cleanup and Disposal Plan (SIDP)); March 7, 2013 (Revised SIDP and Response to EPA Comments); and March 22, 2013 (email response to questions concerning area). These submittals shall be referred to as the "Notification".

- Remove bulk *PCB remediation waste* (i.e., soils in Areas 5, 10, and 15 to a depth of 4 inches, and Areas 4 and 6 to a depth of 8 inches) within 60 inches of the building foundation and dispose of as a less than (<) 50 ppm PCB waste in a RCRA non-hazardous waste landfill in accordance with § 761.61(a)(5)(i)(B)(2)(ii);
- Conduct verification sampling for *porous surfaces* and soils in accordance with 40 CFR 761 Subpart O, and Subpart P for *non-porous surfaces*.

CREC may proceed with its cleanup in accordance with 40 CFR § 761.61(a); § 761.62; § 761.79(h); its Notification; and this Approval, subject to the conditions of Attachment 1.

Questions and correspondence regarding this Approval should be directed to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527

EPA shall not consider this project complete until it has received all submittals required under this Approval. Please be aware that upon EPA receipt and review of the submittals, EPA may request any additional information necessary to establish that the work has been completed in accordance with 40 CFR Part 761, the Notification, and this Approval.

Sincerely,

A handwritten signature in blue ink, appearing to read "James T. Owens III", with a stylized flourish at the end.

James T. Owens III, Director
Office of Site Remediation & Restoration

cc Stephen W. Connelly, Fuss & O'Neill
Gary Trombly, CT DEEP
File

Attachment 1: PCB Approval Conditions

ATTACHMENT 1:

**PCB CLEANUP AND DISPOSAL APPROVAL CONDITIONS
176 CUMBERLAND AVENUE (the Site)
WETHERSFIELD, CONNECTICUT**

GENERAL CONDITIONS

1. This Approval is granted under the authority of Section 6(e) of the Toxic Substances Control Act (TSCA), 15 U.S.C. § 2605(e), and the PCB regulations at 40 CFR Part 761, and applies solely to the *PCB bulk product waste* and the *PCB remediation waste* located at the Site and identified in the Notification.
2. Capital Region Education Council (CREC) shall conduct on-site activities in accordance with the conditions of this Approval and with the Notification.
3. In the event that the cleanup plan described in the Notification differs from the conditions specified in this Approval, the conditions of this Approval shall govern.
4. The terms and abbreviations used herein shall have the meanings as defined in 40 CFR § 761.3 unless otherwise defined within this Approval.
5. CREC must comply with all applicable federal, state and local regulations in the storage, handling, and disposal of all PCB wastes, including PCBs, PCB Items and decontamination wastes generated under this Approval. In the event of a new spill during response actions, CREC shall contact EPA within 24 hours for direction on PCB cleanup and sampling requirements.
6. CREC is responsible for the actions of all officers, employees, agents, contractors, subcontractors, and others who are involved in activities conducted under this Approval. If at any time CREC has or receives information indicating that CREC or any other person has failed, or may have failed, to comply with any provision of this Approval, it must report the information to EPA in writing within 24 hours of having or receiving the information.
7. This Approval does not constitute a determination by EPA that the transporters or disposal facilities selected by CREC are authorized to conduct the activities set forth in the Notification. The is responsible for ensuring that its selected transporters and disposal facilities are authorized to conduct these activities in accordance with all applicable federal, state and local statutes and regulations.

8. This Approval does not: 1) waive or compromise EPA's enforcement and regulatory authority; 2) release CREC from compliance with any applicable requirements of federal, state or local law; or 3) release CREC from liability for, or otherwise resolve any violations of federal, state or local law.
9. Failure to comply with the Approval conditions specified herein shall constitute a violation of the requirement in § 761.50(a) to store or dispose of PCB waste in accordance with 40 CFR Part 761 Subpart D.

NOTIFICATION AND CERTIFICATION CONDITIONS

10. This Approval may be revoked if the EPA does not receive written notification from CREC of its acceptance of the conditions of this Approval within 10 business days of receipt.
11. CREC shall submit the following information for EPA review and/or approval:
 - a. a certification signed by its selected abatement/demolition contractor, stating that the contractor(s) has read and understands the Notification, and agrees to abide by the conditions specified in this Approval;
 - b. a contractor work plan, prepared and submitted by the selected demolition or abatement contractor(s) describing the containment and air monitoring that will be employed during abatement activities. This work plan should also include information on how and where wastes will be stored and disposed of, and on how field equipment will be decontaminated; and,
 - c. a certification signed by the selected analytical laboratory, stating that the laboratory has read and understands the extraction and analytical method requirements and quality assurance requirements specified in the Notification and in this Approval.

REMEDIAL AND DISPOSAL CONDITIONS

12. To the maximum extent practical, engineering controls, such as barriers, and removal techniques, such as the use of HEPA ventilated tools, shall be utilized during removal processes. In addition, to the maximum extent possible, disposable equipment and materials, including PPE, will be used to reduce the amount of decontamination necessary.

13. PCB-contaminated materials shall be decontaminated and confirmatory sampling and analysis shall be conducted as described below:
 - a. All visible residues of *PCB bulk product waste* (i.e., PCB caulk) shall be removed as described in the Notification.
 - b. The cleanup standard for bulk *PCB remediation waste* (i.e., soil) shall be less than or equal to (\leq) 1 part per million (ppm). Verification samples shall be collected on a bulk basis (e.g., mg/kg) and reported on a dry-weight basis. Verification sampling shall comply with Subpart O; samples shall be collected from both excavation bottoms and sidewalls, as applicable.
 - c. The decontamination standard for *porous surfaces* (i.e., bricks and concrete) shall be \leq 1 ppm. Sampling for *porous surfaces* shall be performed on a bulk basis (i.e., mg/kg) and reported on a dry weight analysis. Sampling for *porous surfaces* shall be conducted in accordance with the EPA Region 1 *Standard Operating Procedure for Sampling Porous Surfaces for Polychlorinated Biphenyls (PCBs) Revision 4, May 5, 2011*, at a maximum depth interval of 0.5 inches. Verification samples shall be collected at the frequency specified in 40 CFR 761 Subpart O.
 - d. The decontamination standard for *non-porous surfaces* (i.e., steel lintels) shall be as follows:
 - i) Post-decontamination verification sampling of *non-porous surfaces* shall be performed on a surface area basis by the standard wipe test as specified in 40 CFR § 761.123 (i.e., $\mu\text{g}/100\text{ cm}^2$) and in accordance with Subpart P.
 - ii) In the event decontaminated *non-porous surfaces* have PCB concentrations at greater than ($>$) $1\mu\text{g}/100\text{ cm}^2$ PCBs, CREC may conduct additional decontamination to achieve the required decontamination standard or must store and dispose of these wastes in accordance with 40 CFR Part 761.
 - e. Chemical extraction for PCBs shall be conducted using Methods 3500B/3540C of SW-846; and, chemical analysis for PCBs shall be conducted using Method 8082 of SW-846, unless another extraction/analytical method(s) is validated according to Subpart Q.
14. All PCB waste (regardless of concentration) generated as a result of the activities described in the Notification, excluding any decontaminated materials, shall be marked in accordance with § 761.40; stored in a manner prescribed in § 761.65; and, disposed of in accordance with 40 CFR § 761.61(a)(5) or § 761.62, unless otherwise specified below:
 - a. Decontamination wastes and residues shall be disposed of in accordance with 40 CFR § 761.79(g).

- b. Moveable equipment, tools, and sampling equipment shall be decontaminated in accordance with either 40 CFR § 761.79(b)(3)(i)(A), § 761.79(b)(3)(ii)(A), or § 761.79(c)(2).
- c. PCB-contaminated water generated during decontamination shall be decontaminated in accordance with 40 CFR § 761.79(b)(1) or disposed of under § 761.60.

INSPECTION, MODIFICATION AND REVOCATION CONDITIONS

- 15. CREC shall allow any authorized representative of the Administrator of the EPA to inspect the Sites and to inspect records and take samples as may be necessary to determine compliance with the PCB regulations and this Approval. Any refusal by CREC to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for revocation of this Approval.
- 16. Any proposed modification(s) in the plan, specifications, or information in the Notification must be submitted to EPA no less than 14 calendar days prior to the proposed implementation of the change. Such proposed modifications will be subject to the procedures of 40 CFR § 761.61(a)(3)(ii).
- 17. Any departure from the conditions of this Approval without prior, written authorization from the EPA may result in the revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.
- 18. Any misrepresentation or omission of any material fact in the Notification or in any records or reports may result in the EPA's revocation, suspension and/or modification of the Approval, in addition to any other legal or equitable relief or remedy the EPA may choose to pursue.

RECORDKEEPING AND REPORTING CONDITIONS

- 19. CREC shall prepare and maintain all records and documents required by 40 CFR Part 761, including but not limited to the records required under Subparts J and K. A written record of the decontamination and the analytical sampling shall be established and maintained by CREC in one centralized location, until such time as EPA approves in writing a request for an alternative disposition of such records. All records shall be made available for inspection to authorized representatives of EPA.

20. CREC shall submit a final report as both a hard copy and electronic version, to the EPA within 60 days of completion of the activities authorized under this Approval. At a minimum, this final report shall include: a short narrative of the project activities with photo-documentation; characterization and confirmation sampling analytical results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; an estimate of the quantity of PCB waste disposed of; copies of manifests and bills of lading; and copies of certificates of disposal or similar certifications issued by the disposer.
21. Required submittals shall be mailed to:

Kimberly N. Tisa, PCB Coordinator (OSRR07-2)
United States Environmental Protection Agency
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912
Telephone: (617) 918-1527
Facsimile: (617) 918-0527
22. No record, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

END OF ATTACHMENT